

Application No. 10/709,688
Docket No. 13DV-14039-3
Amendment dated October 5, 2006
Reply to Office Action of April 5, 2006

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REMARKS

In the Advisory Action dated August 25, 2006, the Examiner stated that Applicants' amendment filed August 7, 2006, would not be entered.

Therefore, the current status of the claims is as follows:

- (1) Independent claim 1 and its dependent claims 2-3, 19 and 20 are rejected under 35 USC §§102 and/or 103(a);
- (2) Dependent claims 4-8 (which depend from claim 1) are deemed to recite allowable subject matter; and
- (3) Independent claim 9 and its dependent claims 10-18 are allowed.

In response:

- (A) Claim 1 has been amended to incorporate the limitations of its dependent claim 7 (canceled without prejudice to Applicants), pursuant to the Examiner's conclusion that claim 7 recites allowable subject matter.

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(B) Claims 3, 4, and 5 have also been canceled as conflicting with or redundant in view of the amendment to their parent claim 1.


In view of the above, Applicants believe independent claim 1 is allowable over the prior art of record. If independent claim 1 is allowable, then all remaining claims depending from independent claim 1 (namely, claims 2, 6, 8, 19 and 20) are also allowable over the prior art of record.

The amendments to the claims strictly comply with 37 CFR §1.116(a) as being limited to reducing and simplifying the issues remaining in the examination of Applicants' application - namely, placing claims 1 and its remaining dependent claims 2, 6, 8, 19 and 20 in condition for allowance. Consequently, the above amendment does not raise new issues that would require further consideration and/or search by the Examiner, and places the claims in better condition for appeal.

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Should the Examiner have any questions with respect to any matter
now of record, Applicants' representative may be reached at (219) 462-4999.

Respectfully submitted,

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October 5, 2006
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Attachment: Fee Transmittal form